

Procedure For The Disposition of Property

I. Introduction

From time to time, the Oneida-Herkimer Solid Waste Authority (Authority) requires disposal of property which no longer has utility for the Authority. The following sets the guidelines that the Authority will follow for disposing of such property. These guidelines shall be annually reviewed and approved by the Authority Board of Directors (Board). On or before the thirty-first day of March in each year, the Authority will file with the State Comptroller a copy of these guidelines most recently reviewed and approved by the Board. The Guidelines will also be posted on the Authority's web site, ohswa.org.

II. Legislative Consistency

The Guidelines contained herein are consistent with the Authority's enabling legislation Section 2049 Public Authorities Law and the Public Authorities Accountability Act of 2005.

III. Contracting Officer

The contracting officer is the Authority employee responsible for the disposition of property consistent with the parameters set forth in the Guidelines. The contracting officer shall be appointed by a resolution of the Board. For 2008-2009 the Authority Board has re-appointed Environmental Coordinator James V. Biamonte.

IV. Inventory Controls

Not less than annually, the Contracting Officer shall conduct an inventory of all Authority property greater than \$5,000 in value and any other property deemed surplus. The inventory shall be listed by facility, and contain descriptive information, identification numbers, and estimated value. Based on the inventory inspection, and consultation with other Authority staff, a determination shall be made as to which property should be disposed.

V. Disposal of Property

Once a determination of property to be disposed is made, the public will be notified of the sale of such property. The Authority's policy is to foster an environment of full and free competition. The public notification shall be published on the Authority's website, the legal notices of the Utica Observer Dispatch, Rome Sentinel and Herkimer Evening Telegram newspapers. The public notice shall contain descriptive information for each piece of property, instructions for bidders, terms and dates/times when bids are due. The notification period shall be a minimum of 7 business days.

All bids may be rejected by the Authority when it is in the Authority's interest to do so. Award shall be made after careful review by the contracting officer and with reasonable promptness by notice to the highest responsible bidder. A bill of sale shall be generated by the Authority and shall be conclusive evidence of compliance with the provisions of the Public Authorities Accountability Act of 2005.

The contracting officer may also enter into an Authorization to Sell Agreement with the Oneida County Purchasing Department to list and sell Authority surplus items using the internet site known as "e-Bay". The Authority shall initially inform the public through its network of newspaper legal notices of its option to sell certain surplus items through e-Bay.

For the contemplated sale of any real property (real estate), the Board shall direct that bids will be sought through public advertisement and will be advertised publicly as described above. Bids will be reviewed by the Contracting Officer and a recommendation of award will be made to the Board. All real property sales must be approved by the Board.

VI. Reports

Not less frequently than annually the Authority shall publish a report listing all its real property. Also, the report shall list with full description all real and personal property disposed of during the period of the report. In addition, the report shall contain the price received by the Authority and the name of the purchaser. The Authority will deliver copies of the report to the State Comptroller, Director of Budget, Commissioner of General Services and the New York State Legislature.